

Internal
CO# 70041
3537
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EVENT VIOLATION INSPECTOR'S STATEMENT

Company/Mine: West Ridge Resources, Inc/West Ridge Mine
Permit #: C/015/007

CO # 10051
Violation # 1 of 1

A. SERIOUSNESS

1. What type of event is applicable to the regulation cited? Refer to the DOGM reference list of event below and remember that **the event is NOT the same as the violation.** Mark and explain each event.

- a. Activity outside the approved permit area.
- b. Injury to the public (public safety).
- c. Damage to property.
- d. Conducting activities without appropriate approvals.
- e. Environmental harm.
- f. Water pollution.
- g. Loss of reclamation/revegetation potential.
- h. Reduced establishment, diverse and effective vegetative cover.
- i. No event occurred as a result of the violation.
- j. Other.

Explanation: The permittee was constructing a metal building 40x60x20 using I-beams construction, concrete floor. No amendment was submitted or approved by the Division prior to CO being issued. The building was not bonded.

2. Has the even occurred? Yes

If yes, describe it. If no, what would cause it to occur and what is the probability of the event(s) occurring? (None, Unlikely, Likely).

Explanation: Metal building was under construction and CO was issued. The permittee did not receive Division approval. The bonding section in the MRP was not updated.

3. Did any damage occur as a result of the violation? No

If yes, describe the duration and extent of the damage or impact. How much damage may have occurred if the violation had not bee discovered by a DOGM inspector? Describe this potential damage and whether or not it would extend off the disturbed and/or permit area.

Explanation: There was no environmental damage. The building was within the disturb area.

B. DEGREE OF FAULT (Check the statements which apply to the violation and discuss).

- Was the violation not the fault of the operator (due to vandalism or an act of God), explain. Remember that the permittee is considered responsible for the actions of all persons working on the mine site.

Explanation: _____

- Was the violation the result of not knowing about DOGM regulations, indifference to DOGM regulations or the result of lack of reasonable care.

Explanation: The permittee was willfully and knowingly in the construction of the building. Management asked and was told by the engineering/environmental department at West Ridge Mine a permanent building would need to be permitted. The use of concrete would be considered permanent building.

- If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.

Explanation: _____

- Was the operator in violation of a specific permit condition?

Explanation: _____

- Has DOGM or OSM cited the violation in the past? If so, give the dates and the type of warning or enforcement action taken.

Explanation: _____

C. GOOD FAITH

1. In order to receive good faith for compliance with an NOV or CO, the violation must have been abated before the abatement deadline. If you think this applies, describe how rapid compliance was achieved (give date) and describe the measures the operator took to comply as rapidly as possible.

Event Violation Inspector's Statement

NOV/CO # _____
Violation # _____ of _____

Explanation: Good faith points could be given. The amendment was submitted on Monday, May 3, 2010 and recommended for approval.

2. Explain whether or not the operator had the necessary resources on site to achieve compliance.

Explanation: Yes, submit an amendment and receive Division approval.

3. Was the submission of plans prior to physical activity required by this NOV / CO? Yes If yes, explain.

Explanation: The permittee must get Division approval before construction and continue.

Stephen J Demark
Authorized Representative

Stephen J Demark
Signature

May 4, 2010
Date

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